

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

SOUTHWEST ENVIRONMENTAL, INC. a
California Corporation,

Plaintiff,

- vs -

SK AMERICA, INC., a New Jersey corporation
dba MAXLITE-SK AMERICA, INC.; REXEL,
INC., a New York corporation dba REXEL
ESD; and DOES 1 through 100, inclusive,
Defendants.

AND RELATED COUNTERCLAIMS AND
THIRD PARTY COMPLAINT

Case No. 07 CV 0642 WQH (BLM)

~~PROPOSED~~ ORDER OF
DISMISSAL

Judge: Hon. William Q. Hayes
Courtroom: Four
Action Filed: February 28, 2007
Trial Date: None assigned

Hearing Date: None scheduled
Hearing Time: None scheduled
Dept: None scheduled

The Court having considered the arguments of all parties pertaining to a Joint Motion for Dismissal filed jointly by Plaintiff Southwest Environmental, Inc. ("Southwest"), Defendant SK AMERICA, INC., dba MAXLITE-SK AMERICA, INC., ("MaxLite"); Defendant SUMMERS GROUP, INC., dba REXEL ESD ("Rexel"), and Third-Party Defendants FULHAM CO., INC. and FULHAM ELECTRONIC CO., LTD. (collectively "Fulham"), it is HEREBY ORDERED that:

1 1. All claims, counterclaims, and third-party claims at issue in this dispute are DISMISSED
2 WITH PREJUDICE.

3 2. As set forth the Consent to Jurisdiction form signed by the parties and their respective
4 attorneys, Magistrate Judge Barbara L. Majors will retain jurisdiction over this matter until
5 January 16, 2009.

6 Each party is to bear their own respective costs for the claims hereby dismissed.

7
8 DATED: 2/5/08, 2008



William Q. Hayes
United States District Judge

1 **CERTIFICATE OF SERVICE**

2 **CASE NAME:** Southwest Environmental, Inc., v. SK America, Inc., et al.
 3 **COURT:** United States District Court, Southern District of California
 4 **CASE NO.:** 07 CV 0642 WQH BLM
 5 **NP FILE:** 045954/000002

6 I, the undersigned, certify that I am employed in the City and County of San Francisco, California; that I am over the age of eighteen years and not a party to the within action; and that my business address is One Embarcadero Center, 18th Floor, San Francisco, California 94111-3600. On this date, I served the following document(s):

7 **[PROPOSED] ORDER OF DISMISSAL**

8 on the parties stated below, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below by the following means of service:

9 X: By First-Class Mail — I am readily familiar with the firm's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence is deposited with the United States Postal Service on the same day as collected, with first-class postage thereon fully prepaid, in San Francisco, California, for mailing to the office of the addressee following ordinary business practices.

12 ____: By Personal Service — I caused each such envelope to be given to a courier messenger to personally deliver to the office of the addressee.

14 ____: By Overnight Courier — I caused each such envelope to be given to an overnight mail service at San Francisco, California, to be hand delivered to the office of the addressee on the next business day.


16 ____: By Facsimile — From facsimile number (415) 984-8300, I caused each such document to be transmitted by facsimile machine, to the parties and numbers listed below. The facsimile machine I used had no error reported by the machine. I caused the machine to print a transmission record of the transmission, a copy of which is attached to the original of this declaration.

18 ____: By CM/ECF Electronic Mail — I caused each such document to be delivered by CM/ECF electronic mail to the parties listed below.

20 Addressee(s)

21 **SEE ATTACHED**

22 I declare under penalty of perjury that the foregoing is true and correct. Executed on
 23 February 4, 2008, at San Francisco, California.

24 
 25 Grace A. Wayte
 26
 27
 28

SERVICE LIST

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